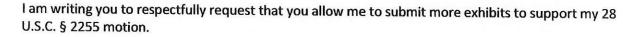
Hon. Cathy Seibel United States District Court Judge United States Courthouse 300 Quarropas Street White Plains, New York 10601

Virginia Blanco 79564.054 33 1/2 Pembroke Rd Danbury, CT 06811

October 14, 2021

Re: U.S.A v. Blanco 16 Cr. 408 (CS) Amend 28 U.S.C. § 2255

Dear Judge Seibel,

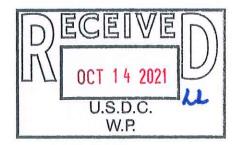


On October 4, 2021, I submitted a Pro Se 28 U.S.C. § 2255 motion. At that time, I was not in control or in possession of the exhibits that I would like to add.

One of the grounds raised in my 28 U.S.C. § 2255 motion is perjury in violation of my sixth amendment. The Government was aware or should have been aware that Giovanni Marte's answers were intentional lies to cover up his extensive criminal history in front of the jury.

I ask the court's permission to allow me to submit these exhibits (see attached) in support of my 28 U.S.C. § 2255 motion. The exhibits show substantial proof that Giovanni Marte committed perjury when he was asked how many times he was arrested and proves AUSA Douglas Zolkind, AUSA Samuel S. Adelsberg, AUSA Jamie E. Bagliebter, Geoffrey S. Berman and FBI Special Agent Brendan Kenney were aware of this perjured testimony.

- Q. You described your involvement in drug dealing, robberies, fights, shootouts, gun possession and drug smuggling. Were you ever arrested for these crimes?
- A. Yes.
- Q. How many times?
- A. Once.
- Q. What happened that time?
- A. Got into a fistfight.
- Q. When was that?
- A. 2000, late 2014, early 2015.
- Q. And what was the charge?
- A. Assault
- Q. What happened to those charges?
- A. I plead guilty to disorderly conduct and assault.
- Q. So other than that one arrest, were you ever arrested for any other activity that you described?



A. No Doc.142, Pages 131-132.

I am aware that I am to respond to the Governments reply on or before January 19, 2022. With the court's permission, I would also like to submit supporting exhibits when I file my reply, the reason being is I have sent numerous Foil requests and I am awaiting responses.

If there are any issues with my first request, I respectfully request allowance to submit all exhibits when I submit my reply on January 19, 2022.

Respectfully Submitted,

Virginia Blanco

I will accept these exhibits (subject to any argument the Government may make as to them) because the Government has not yet responded to the Petition and still has ample of time to do so, but no additional exhibits will be accepted. There are time limits for petitions under 28 USC 2255, and a petitioner cannot evade them by repeatedly adding things to the petition after the one-year limitations period has run. Further, accepting new exhibits or arguments from Petitioner as part of her reply would not be fair, as the Government would not have had the opportunity to address them. The law gives petitioners a year to assemble what they need to file their petitions and Ms. Blanco has had that time.

The Clerk of Court is respectfully directed to send a copy of this endorsement to Ms. Blanco.

SO ORDERED.

10/15/21

Criminal Repository for FBI Number:

on 06\21\2016 05:23 pm

Page 1 of 5

# **Repository Inquiry**

To: smyths For: Douglas Zolkind Case No:2013R01769 FBI Number -

- CRI

New York State Division of Criminal Justice Services
Alfred E. Smith Building, 80 South Swan St.
Albany, New York 12210. Tel:1-800-262-DCJS
Michael C.Green, Executive Deputy Commissioner of the NYS Division of Criminal Justice Services

Identification Summary Criminal History Job/License Wanted Missing NCIC/III

### Attention - Important Information

\* See Additional Information at the bottom of this response for more banners pertaining to the criminal history

This NYSID Number

was used previously and is now reassigned to this individual.

Violent Felony offense(s) on file

### Identification Information \*



Name:

GOVANNY MARTE GIOVANNY S MARTE

Date of Birth:

Place of Birth:

New York

**USA** 

Cycle 3 Arrest Date August 28, 2015

### Address:

Sex:

Race:

Ethnicity:

**Skin Tone:** 

Male

White

Hispanic

Dark

Eye Color:

Hair Color:

Height:

Weight:

Brown

Black

5' 07"

160

SSN:

**NYSID#:** 

FBI#:

**NCIC Classification#:** 

III Status: Criminal record in other states or in multiple FBI files for NYS

## Summary Information

**Total Arrests: 2** 

Date of Earliest Arrest: August 28, 2015

Latest Prior Arrest Date: May 23, 2016

2
2
2

Total Arraigned Arrests:				
Felony:	1			
Violent Felony:	1			

Total Open Cases:	3	Cycles (max 5)
Felony:	1	4

Case 7:16-cr-00408-CS Document 203 Filed 10/15/21 Page 4 of 14

Criminal Repository for FBI Number:

on 06\21\2016 05:23 pm

3502-A Page 2 of 5

Firearm: Misdemeanor: Other: Other:

Firearm: Misdemeanor:

Violent Felony: Misdemeanor: Other: Open ACD: Non Docketed Cases:

Total Convictions	: 1	Cycles (max 5)
Felony:	0	
Violent Felony:	0	
Firearm:	0	
Misdemeanor:	0	
Other:	1	3
YO Adjud.:	0	

Warrant Information:		Cycles (max 5)
Failure to Appear Counts:	0	
Total Open:	0	
Active NYC:	0	

DOC Classification:		Cycles (max 5)
Escape Charges:	0	
Sex Offender Convictions:	0	
Probation Revoc:	0	
Parole Revoc:	0	

## NYS Criminal History Information

Cycle 4 Violent Felony Offense

Arrest/Charge Information

Arrest Date: May 23, 2016 06:00 am (06:00:00)

Name:

**GOVANNY MARTE** 

Male

White

5' 07"

B20941

NYCPD 46

May 23, 2016

67668499Z

Bronx County, NY

Unknown

160

25

Hispanic

Date of Birth:

Sex:

Race:

Ethnicity:

Height:

Weight:

Age at time of crime/arrest:

Address:

Fax Number:

Place of Arrest:

Arrest Type:

**Date of Crime:** 

Place of Crime:

**Criminal Justice Tracking No.:** 

**Arresting Agency:** 

NYCPD PCT 046 906818

**Arresting Officer ID: Arrest Number:** 

B16629480

Arraignment:

**Bronx County Criminal Court** 

**Arrest Charges:** 

-- Robbery-1st:Displays What Appears To Be A Firearm PL 160.15 Sub 04 Class B Felony Degree 1 NCIC 1299

-- Robbery-1st:Forcible Theft Armed With A Deadly Weapon PL 160.15 Sub 02 Class B Felony Degree 1 NCIC 1299

Criminal Repository for FBI Number:

on 06\21\2016 05:23 pm

Page 3 of 5

3502-A

**No Court Reported Information** 

# ♣ Cycle 3 ★ **Violent Felony Offense**

Arrest/Charge Information

Arrest Date: August 28, 2015 12:00 pm (12:00:00)

Name:

**GIOVANNY S MARTE** 

Date of Birth:

Sex: Race: Male

White

Ethnicity: Height:

Hispanic 5' 10"

Weight:

175

Age at time of crime/arrest:

23

Address:

Fax Number:

M41078

Place of Arrest: Arrest Type:

NYCPD 34 Unknown

**Date of Crime:** 

August 19, 2015

Place of Crime:

NYCPD 34

Criminal Justice Tracking No.:

67291910P

**Arresting Agency: Arresting Officer ID:** 

NYCPD PCT 034 923148

Arrest Number:

M15664563

**Arraignment:** 

New York County Criminal Court

### **Arrest Charges:**

-- Assault 2nd Deg:Intent To Cause Physical Injury with Weapon/Instrument

PL 120.05

Sub 02

Class D Felony Degree 2 NCIC 1399

## **Court Case Information**

August 29, 2015

**Initial Report Of Docket Number** 

August 29, 2015

Arraigned

-- Assault 2nd Deg:Intent To Cause Physical Injury with Weapon/Instrument

PL 120.05

Sub 02

Class D

**Felony** 

**NCIC 1399** 

December 08, 2015

Convicted Upon Plea Of Guilty - Conviction Date: December 08, 2015

-- Disorderly Conduct

PL 240.20

Violation

NCIC 5311

#### In Full Satisfaction of:

Criminal Repository for FBI Number:

on 06\21\2016 05:23 pm

-- Assault 3rd Degree: With Intent To Cause Physical Injury PL 120.00 Sub01 Class A Misdemeanor NCIC 1399

#### Reduced From:

-- Assault 2nd Deg:Intent To Cause Physical Injury with Weapon/Instrument PL 120.05 Sub02 Class D Felony NCIC 1399

Sentenced to: Conditional discharge Order of Protection

Sentence Date: December 08, 2015

Interim release Status: Released on own recognizance (ROR)

#### No Arrest Reported

#### Court Case Information

February 10, 2015

**Initial Report Of Docket Number** 

### Cycle 1 🛊

#### No Arrest Reported

#### **Court Case Information**

--Court: New York County Criminal Court Case Number: 2015NY005672

February 04, 2015

**Initial Report Of Docket Number** 

### Other History Related Information

There is no Other History Related Information associated with this history.

#### Job/License Information

There is no Job/License Information associated with this history.

#### Wanted Information

There is no NYS Wanted Information associated with this history.

# Missing Person Information

There is no NYS Missing Information associated with this history.

#### Additional Information

Sentencing - Where an individual is sentenced June 1, 1981 or later on more than one charge within a docket, the sentence may be considered to be concurrent unless identified as consecutive.

Caution: Identification not based on fingerprint comparison. This record was produced as the result of an inquiry.

Multi-Source - Subject has information maintained by other states or in multiple NYS files maintained by the FBI available through the Interstate Identification Index. Refer to FBI Number

https://www.ejustice.nv.gov/wps/myportal/!ut/p/a1/IZFNU4MwEIZ Sw9ekw20EI6gBel0oLbUKbl0Upp... 6/21/2016

Page 4 of 5

Criminal Repository for FBI Number:

on 06\21\2016 05:23 pm

3502-A Page 5 of 5

Federal NCIC, III and/or FBI Response

The outstanding response(s) indicated below will be forwarded to your in-box upon receipt by DCJS. If you do not receive one or more of the indicated responses, please contact that state or agency directly.

III Record Request

#### NCIC Information

The following information is provided in response to your request for a search of the NCIC - Person Files based on:

Name:

MARTE, GOVANNY

Sex:

Male

Race:

White

Date of Birth:

FBI number:

NY030017A

NO NCIC WANT FBI/

NO NCIC WANT NAM/MARTE, GOVANNY DOB/

RAC/W SEX/M

\*\*\*MESSAGE KEY QWA SEARCHES ALL NCIC PERSONS FILES WITHOUT LIMITATIONS.

### NCIC Protection Order

The following information is provided in response to your request for a search of the NCIC - Protection Order File based on:

Name:

**MARTE, GOVANNY** 

Sex:

Male

Race:

White

Date of Birth:

FBI number:

NY030017A

NO NCIC PROTECTION ORDER FILE RECORD FBI/

NO NCIC PROTECTION ORDER FILE RECORD NAM/MARTE, GOVANNY DOB/

RAC/W

SEX/M

WARNING: Release of any of the information presented in this computerized Case History to unauthorized individuals or agencies is prohibited by federal law TITLE 42 USC 3789g(b).

This report is to be used for this one specific purpose as described in the Use and Dissemination Agreement your agency has on file with DCJS. **Destroy after use and request an updated rap sheet for subsequent needs.** All information presented herein is as complete as the data furnished to DCJS.

https://www.ejustice.ny.gov/wps/myportal/!ut/p/a1/IZFNU4MwEIZ\_Sw9ekw20EI6gBel0oLbUKbl0Upp... 6/21/2016

3502-A Page 1 of 3

# **Additional Inquiry Response**

ORI: NY030017A

**US Attorney Southern District** 

New York State Division of Criminal Justice Services Alfred E. Smith Building, 80 South Swan St. Albany, New York 12210. Tel:1-800-262-DCJS

Michael C.Green, Executive Deputy Commissioner of the NYS Division of Criminal Justice Services

#### FBI Information

e following information is provide	ea in response to your request to	or a search of the Fbl dased on:
FBI number: Purpose Code:	c	
ATN/SMYTHS *********	CRIMINAL HISTORY RECOR	D *******
*****	***** Introduction **	********
This rap sheet was produ	uced in response to the	following request:
FBI Number Request Id Purpose Code Attention	C SMYTHS	
	rap sheet is subject t	o the following caveats:
copy should be requested 2016-06-21) All arrest entries conta fingerprint comparisons 2016-06-21)	ions or deletions may be defined in this FBI recore and pertain to the same is regulated by law. It donly for the purpose	e made at any time, a new equent use. (US; ed are based on le individual. (US; et is provided for official
MARTE, GIOVANNY S MARTE, GIO (AKA) MARTE, GIOVANNYSADIEL (A MARTE, GOVANNY (AKA) Subject Description	AKA)	
FBI Number	State Id Number (NY)	
Sex Male	Race White	
Height 5'10"	Weight 175	Date of Birth

Hair Color

Eye Color

Fingerprint Pattern

3502-A

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Black
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RSWURSWURSLSLSLSLSLS (Other) Brown

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Place of Birth Citizenship
United States United State
                   United States
Fingerprint Images
(No Fingerprint Image Transmitted
Comment:)
(No Fingerprint Image Transmitted
(No Fingerprint Image Transmitted
Comment:)
Photo Images
(No Photo Image Transmitted )
Earliest Event Date 2016-05-23
Arrest Date 2016-05-23
Arrest Case Number NY-3502105
Arresting Agency NYFBINROO FBI-WHITE PLAINS
Subject's Name MARTE, GIOVANNY SADIEL
Charge 1
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       Severity Unknown
Charge
      Charge Literal 5213 - FIRING WEAPON
      Severity Unknown
                         .
Court Disposition (Cycle 001)
Court Case Number
Court Agency
Charge
                   1
      Charge Literal 18 USC 2113 - BANK ROBBERY
          Severity
        Disposition (; NA)
Charge
      Charge Literal 18 USC 924C - DISCHARGE FIREARM
           Severity
        Disposition (; NA)
Earliest Event Date 2016-05-23
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                   2016-05-23
Arrest Date
Arrest Case Number
Arresting Agency NYFBINY00 FBI
Subject's Name MARTE, GIOVANNY SADIEL
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           Severity Unknown
Charge
      Charge Literal 5299-WEAPON OFFENSE
           Severity Unknown
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Page 3 of 3

### III/FBI/State Delayed Response

FBI-WHITE PLAINS; NYFBINR00;

Agency Agency Email Address

Agency Email Address

Address

WHITE PLAINS, NY 10605

Agency

FBI; NYFBINY00;

Agency Email Address Agency Email Address

Address

23RD FLOOR

NEW YORK, NY 102780004

\* \* \* END OF RECORD \* \* \*

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NOTICE 1	TO ARRESTING	AGENTS:	The USMS p	rovides	the COURTE	SY of hold	ing and produ	cing the	arrestee	prior to	thei	r	
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